

No Doubt, Lots of Benefit

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This is where we are a day before the Commission's first annual rule of law report is to be released. The Hungarian government demanded the dismissal of Commissioner V#ra Jourová over a quip she made in an interview in the German press. Jourová called Hungary an 'ill democracy', a witty word play on PM Viktor Orbán's aspiration of building an illiberal democracy. Following the tweet of Hungarian Minister of Justice, Judit Varga, the European public can also read the [letter PM Orbán sent to President Ursula von der Leyen](#) (courtesy of a tweet by spokesperson Zoltán Kovács).

In response the Commission [backed](#) Jourová, no doubt, in the hope of steering attention towards the roll-out of the annual report. After all, this is a flagship project the Commission has been working on for months.

For those who still wish to give the Hungarian government the benefit of the doubt, and suggest that Jourová's quip was a happy accident: rest assured that the Hungarian government worked hard to engineer this situation. Where they got lucky was with the pace and the punch of Jourová's public, unscripted response.

The Hungarian government's attack on Jourová follows the usual playbook of stifling procedures dedicated to safeguarding the rule of law at every turn that is on a public calendar of events. Recall the 200-page long judicial reform bill that was dropped shortly before the Council was to get engaged in the pending Article 7(1) TEU case in December 2019? Perfect timing to put off balance the few governments that were still eager to hold Hungary to the EU's founding values.

As expected, in the first half of 2020 little happened on the rule of law front in the Council during the Croatian presidency. With the German government's turn from July 2020, hopes were high for a more robust approach in the Council.

This is when the Hungarian government turned the volume up on the threat to hold all member states and EU institutions hostage over the proposed rule of law conditionality in the budget. As luck (?) had it, the Polish government joined in, after the Parliament's resolution pressing the Council for a robust response.

To make the message perfectly clear, on September 21, 2020 PM Orbán also published an editorial article in one of Hungary's [government friendly papers](#), debuting his most recent take on illiberal democracy's Christian dimension. In this full blown attack on liberalism (and liberalniks, a new term of endearment) he included not only the Commission, but also "Berlin" – calling out German Christian conservatives for their readiness to compromise with the left and the greens. In Orbán's view, "Berlin" compromises the Christian foundations of conservative politics. Just what "Berlin" needed to hear.

Note that this editorial ran after the EPP agreed to postpone the vote on FIDESz's fate again, in early September.

A few days after Orbán's editorial, on September 24, [politico.eu](https://www.politico.eu)'s Lili Bayer [showed](#) how Orbán broke the EU, drawing on candid interviews with former commissioners, giving an account about how the EPP held the Commission from going harder on the Hungarian government. The day after Commissioner Jourová was interviewed by the German press.

And here we are: the day before the Commission's first annual report on the rule of law is scheduled to land, the EU finds itself steeped in a high level inter-institutional conflict — sown by a self-proclaimed illiberal democrat.

This is what being stranded by one's own self-deception looks like. Let's be clear: PM Orbán is not the one to blame for this mess. Those who insisted on giving him the benefit of the doubt are.

